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5 Attorney for Material Witness  
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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10 (Honorable Louisa S. Porter)

11 UNITED STATES OF AMERICA,	)	Criminal Case No. 08cr0209-IEG
	)	
12 Plaintiff,	)	
	)	DECLARATION OF ALANE.
13 vs.	)	FERGUSON IN SUPPORT OF
	)	MATERIAL WITNESSES MOTION
14	)	FOR A VIDEOTAPE DEPOSITION
George Luis Quiroz-Cota, et al.,	)	
	)	HRG DATE: 02/19/2008
15 Defendant.	)	TIME: 2:00 p.m.
	)	CRTRM: H, 1st Floor
16	)	JUDGE: Louisa S. Porter
17	)	

18 I the undersigned, declare as follows:

19 1. My name is Alan E. Ferguson, and I am the attorney of record for Abel Camargo-Tapia,  
20 the material witness in the above-captioned matter. I am an attorney duly licensed to practice law  
21 in the State of California and am admitted to practice before the United States District Court for the  
22 Southern District of California.

23 2. On January 11, 2008, I was appointed to represent the material witness in the  
24 above-captioned matter. As a Material Witness attorney, one of my primary responsibilities is to  
25 help arrange the release of the material witness from the custody of the U.S. Marshal and BICE as  
26 soon as practicable. To that end, I immediately conducted interviews with the Material Witness,  
27 through a certified Spanish language interpreter to explain why he was being held and under what  
28 conditions he could be released. I informed the Material Witness that the most expedient way to be

1 released is by having a personal surety post a court approved appearance bond. I explained that a  
2 personal surety would have to agree to sign a \$5,000.00 appearance bond, post \$500.00 cash with  
3 the court, and agree to allow the Material Witness to stay with the surety or a family member  
4 pending final disposition of the case. Unfortunately, after many attempts to locate a surety that  
5 would qualify, and locating same, the surety has decided that she is not willing and able to post the  
6 bond for him. I have been unable to find any other possible surety for this Material Witness, and am  
7 now relegated to filing this motion.

8 3. I am not aware or have not been informed of any reason in this case why the Material  
9 Witness testimony can not be adequately secured by deposition by either the government or the  
10 defendants' attorneys. To the contrary, compelling reasons exists for the release of the material  
11 witness as continued detention will cause a hardship on the material witness and his family. Abel  
12 Camargo-Tapia has a wife and a minor child in Hidalgo, Mexico, who are dependent upon him as  
13 their source of financial support.

14 4. The Material Witness is more than willing to discuss everything he knows about this case  
15 with both the defense and government investigators. The fact is, however, there are only a few facts  
16 relevant to this case which the material witness is competent to testify: i.e. (a) his citizenship, and  
17 (b) whether the witness agreed to pay anyone. According to preliminary interviews, all of the facts  
18 relevant to this case in the material witness' knowledge took place over a very short period of time.

19 5. I explained the general procedure for videotape depositions to the witness and explained  
20 that, if he were released after the depositions, he may have to return to testify at trial if subpoenaed  
21 by the government or defendant. The witness indicated he is willing to return if arrangements for  
22 his legal re-entry could be made and travel expenses provided.

23 I declare under penalty of perjury, under the laws of the United States of America, that the  
24 foregoing is true and correct of my own personal knowledge, except as to those matters stated to be  
25 based upon information and belief, and as to those matters, I am informed and believe them to be  
26 true and correct. Executed on February 1, 2008, in San Diego, California.

27 Respectfully Submitted,

28 / S / Alan E. Ferguson  
ALAN E. FERGUSON  
Attorney for the Material Witness